

REMARKS

I. Summary of the Office Action

Claims 9-21 were pending in the present application.

Claims 9-21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sandvick et al. U.S. Patent No. 6,368,268 (hereinafter "Sandvick") in view of Hovland et al. U.S. Patent No. 6,169,914 (hereinafter "Hovland").

II. Summary of Applicant's Reply

In this Response, applicant cancels claims 9-21, adds new claims 22-38, and addresses the Examiner's rejections. Support for the amendments to the claims can be found throughout the application. Amendments to the claims are being made solely to expedite prosecution and do not constitute an acquiescence to any of the Examiner's objections or rejections. Applicant's silence with regard to the Examiner's rejections of the dependent claims constitutes a recognition by the applicant that the rejections are moot based on applicant's amendment and/or remarks relative to the independent claim from which the dependent claims depend. Applicant reserves the option to further prosecute the same or similar claims in the present or a subsequent application. Upon entry of the Amendment, claims 22-38 are pending.

Reconsideration and prompt allowance of the present application is respectfully requested.

III. Independent Claim 22

Independent claim 22 is directed to an input device used for sexual interaction. The input device includes, among other things, "a tubular body that has an orifice for receiving a male penis" and "a processor connected to the tubular body," where "the processor determines an output signal, wherein the output signal is adjusted corresponding to movement of the male penis in relation to the tubular body" and "the processor communicates the output signal to an output device."

The Examiner rejected the independent claims as being unpatentable over Sandvick in view of Hovland. Applicant respectfully submits that Sandvick and Hovland, alone or in combination, do not show or suggest each and every feature of applicant's independent claim 22.

Sandvick does not show or suggest an input device that includes a processor connected to a tubular body, where the processor "determines an output signal, wherein the output signal is

adjusted corresponding to movement of the male penis in relation to the tubular body” and “communicates the output signal to an output device.” Sandvick, on the other hand, relates to an interactive virtual sexual stimulation system and, more particularly, to “sexual aids that are controlled through personal computers and digital computer networks, such as the Internet, by user interactive programs.” (Sandvick, column 1, lines 8-12.) Sandvick describes that commands received from an input device (e.g., a joystick, a mouse, and/or microphone) at a computer are used to control a sexual stimulation device, which is connected to another computer via a remote transmitter. For example, Sandvick states that “[i]n order for the computer 11 to properly format control messages generated by the user at the first user interface 10, the system must first know the type of input devices 12, 13 being used at the first user interface.” (Sandvick, column 5, lines 36-39.) “In addition, the computer 11 must also know the type of stimulation aid that is to be controlled at the second user interface 30.” (Sandvick, column 5, lines 40-43.) Unlike applicant’s independent claim 22, it is clear that the control signals sent to a sexual stimulation device are from a joystick or a mouse connected to a computer and not a tubular body for receiving a male penis connected to a processor. Because of this, Sandvick also does not show that the output signal is “adjusted corresponding to movement of the male penis in relation to the tubular body.”

Regarding the Hovland reference, Hovland relates to the determination or measurement of female arousal. The measurement device includes a shaft 110 with a transducer 120 and a recessed portion 140 at the distal end and a handle 150 at the proximal end. (Hovland, FIG. 4; column 6, lines 51-61; and column 7, lines 17-20.) The measurement device also includes a connector 170 for connecting to electronics. Hovland clearly does not include “a tubular body that has an orifice for receiving a male penis” much less “a processor connected to the tubular body,” where “the processor determines an output signal, wherein the output signal is adjusted corresponding to movement of the male penis in relation to the tubular body” and “the processor communicates the output signal to an output device.” Rather, Hovland is directed to measuring and/or determining female arousal and its measurement device does not adjust an output signal that is communicated to an output device based on “movement of the male penis in relation to the tubular body.”

Based on the foregoing amendments and remarks, applicant respectfully submits that requests that independent claim 22 is allowable.

Applicant also respectfully submits that claims 23-32, each of which depends from

independent claim 22, are allowable for at least the same reasons that independent claim 22 is allowable.

IV. Independent Claim 33

Independent claim 33 is directed to an output device used for sexual interaction. The output device includes, among other things:

a processor that is configured to:

receive an input signal based at least in part on an electronic displacement signal from another processor that is connected to an input device that receives an object, wherein the electronic displacement signal is associated with a degree of penetration of the object into the input device; and

transmit instructions to driver circuitry, wherein the driver circuitry causes a motor to move an arm connected to a first rod;

the first rod connected to a thrusting rod with a swivel pin, wherein at least a portion of the thrusting rod is enclosed by a steadying rod having bearings between the thrusting rod and the steadying rod; and

a phallic object attached to an end of the thrusting rod, wherein the thrusting rod moves the phallic object based on the received input signal.

Applicant respectfully submits that Sandvick and Hovland, alone or in combination, do not show or suggest each and every feature of applicant's independent claim 33.

As stated above, Sandvick relates to an interactive virtual sexual stimulation system and, more particularly, to "sexual aids that are controlled through personal computers and digital computer networks, such as the Internet, by user interactive programs." (Sandvick, column 1, lines 8-12.) Sandvick describes that commands received from an input device (e.g., a joystick, a mouse, and/or microphone) at a computer are used to control a sexual stimulation device, which is connected to another computer via a remote transmitter. Unlike applicant's independent claim 33, the computer in Sandvick is not configured to "receive an input signal based at least in part on an electronic displacement signal from another processor that is connected to an input device that receives an object, wherein the electronic displacement signal is associated with a degree of penetration of the object into the input device." In fact, there is no mention in Sandvick of receiving an input signal at one of its sexual stimulation devices, where the input device is based on an electronic displacement signal that is associated with the degree of penetration of an object into the input device.

Moreover, Sandvick also does not include a motor that moves an arm connected to a first rod, “the first rod connected to a thrusting rod with a swivel pin, wherein at least a portion of the thrusting rod is enclosed by a steadying rod having bearings between the trusting rod and the steadying rod” and “a phallic object attached to an end of the thrusting rod, wherein the thrusting rod moves the phallic object based on the received input signal.” Sandvick makes no mention of such components or such a configuration of the stimulation device.

With regard to the Hovland reference, Hovland relates to the determination or measurement of female arousal. As described above, the measurement device of Hovland includes a shaft 110 with a transducer 120 and a recessed portion 140 at the distal end and a handle 150 at the proximal end. (Hovland, FIG. 4; column 6, lines 51-61; and column 7, lines 17-20.) Hovland does not include a motor that moves an arm connected to a first rod, “the first rod connected to a thrusting rod with a swivel pin, wherein at least a portion of the thrusting rod is enclosed by a steadying rod having bearings between the trusting rod and the steadying rod” and “a phallic object attached to an end of the thrusting rod, wherein the thrusting rod moves the phallic object based on the received input signal.” Instead, Hovland includes a handle 150 that “is designed to enable a medical professional to easily grasp, insert, remove, and turn probe 100 as needed during a particular diagnostic procedure.” (Hovland, column 7, lines 17-20.)

In addition, the electronics connected to the measurement device of Hovland do not “receive an input signal based at least in part on an electronic displacement signal from another processor that is connected to an input device that receives an object, wherein the electronic displacement signal is associated with a degree of penetration of the object into the input device.” Instead, the measurement device of Hovland is used for measuring and/or determining female arousal and includes a transducer 120 for “transmitting/receiving ultrasound or other suitable energy to detect Doppler shift, e.g., for calculation of blood velocity, blood-vessel cross-sectional area, or other parameters.” (Hovland, column 7, lines 1-5.)

Based on the foregoing amendments and remarks, applicant respectfully submits that independent claim 33 is allowable.

Applicant also respectfully submits that claims 34-38, each of which depends from independent claim 33, are allowable for at least the same reasons that independent claim 33 is allowable.

V. Deposit Account Authorization

The Director is hereby authorized to charge any fees that may be due, or to credit any overpayment of the same, to Deposit Account No. 50-4207.

In the event that an extension of time is required, or which may be required in addition to that requested in any petition for extension of time filed previously or herewith, the Director is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 50-4207.

VI. Conclusion

For at least the reasons set forth above, applicant respectfully submits that the present application is in condition for allowance. Reconsideration and prompt allowance of the application are respectfully requested.

Respectfully submitted,

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/Philip R. Poh/
Philip R. Poh
Registration No. 51,176
Attorney for Applicant

Byrne Poh LLP
11 Broadway, Suite 814
New York, NY 10004
Telephone: (212) 509-8880
Facsimile: (212) 931-8521